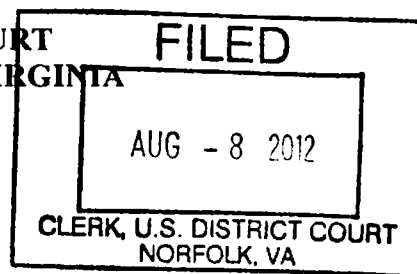


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division



**KAREN PRESCOTT and
WILLIAM PRESCOTT,**

Plaintiffs,

v.

C.A. No. 4:12-cv-126

**JOY WADE and
KIMBERLY IRVINE**

Defendants.

NOTICE OF REMOVAL

COME NOW the defendants, by counsel, pursuant to 28 U.S.C. §§ 1441 and 1446, and file this Notice of Removal to remove this action from the Circuit Court for the County of York, Virginia. In support, the defendants state as follows:

1. The plaintiffs filed suit against the defendants in the Circuit Court for the County of York. A copy of the Complaint is attached hereto pursuant to 28 U.S.C. § 1446.
2. This Court has removal jurisdiction over this matter pursuant to 28 U.S.C. § 1441 as this Court has original jurisdiction over plaintiffs' federal claims. Plaintiffs are asserting claims pursuant to 42 U.S.C. § 1983 for alleged violations of their Fifth, Eighth and Fourteenth Amendment rights under the United States Constitution.
3. Attached to this Notice of Removal is the defendants' Demurrer and Answer filed in the Circuit Court for the County of York.
4. This Court has supplemental jurisdiction over plaintiffs' state law claims.
5. This Notice is filed within 30 days after service of the suit papers on the defendants pursuant to 28 U.S.C. § 1446.

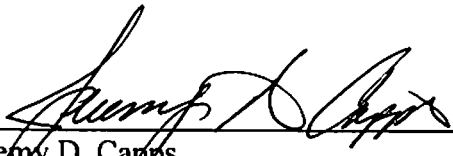
6. The defendants have given notice of the filing of this Notice of Removal to counsel for the plaintiffs, and have filed a copy with the Clerk of the Circuit Court for the County of York, Virginia.

7. Venue is proper pursuant to 28 U.S.C. § 1391(b).

WHEREFORE, the defendants request that this Court remove this action from the Circuit Court for the County of York, Virginia.

**JOY WADE
KIMBERLY IRVINE**

By Counsel

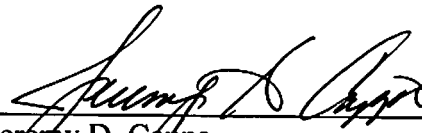


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CERTIFICATE

I hereby certify that a true copy of the foregoing was mailed this 7th day of August, 2012 to:

Kevin P. Shea, Esq.
Kevin P. Shea & Associates
34 West Queens Way
Hampton, VA 23669



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